

IT IS, THEREFORE, ORDERED that Plaintiff's Consent Amended Motion for Attorneys' Fees, (Doc. No. 12), is **GRANTED**; and Plaintiff's Motion for Attorney's Fees, (Doc. No. 11), is **DISMISSED as moot**. The Court will award attorneys' fees in the amount of \$6,550.92 and court costs in the amount of \$400.00, and pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the

United States. If so, that debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe any debt, the Government will exercise its discretion and honor an assignment of EAJA fees, and pay those fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

EAJA allows compensation for costs, including court filing costs; however, such costs are to be paid out of the Department of Treasury's Judgment Fund while fees and expenses are to be paid by the defendant agency. See 28 U.S.C. §§ 1920, 2412. Therefore, the court costs of \$400 shall be paid out of the Department of Treasury's Judgment Fund as a cost, and the attorney's fees shall be paid by the Social Security Administration.

Signed: November 23, 2015

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

